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I'd like to take a moment to comment on the proposed final judgment in the United States vs. Microsoft case. There appears to be some very serious flaws on the current proposed final judgment. Considering Microsoft's past failure to abide by any agreement made with the government, the lenient remedies with serious loopholes is all the more baffling. Below I will outline some very basic points that I feel have not been addressed in this agreement.

1. The Proposed Final Judgment does not prevent Microsoft from raising artificial barriers against non-Microsoft operating systems designed to communicate with machines running a Microsoft Operating System. The failure to even try to offer this rudimentary protection for companies trying to build products aimed at communicating with windows based machines seems to be a serious oversight. Without this sort of protection Microsoft is free to use it's monopoly power to illegally gain market share in different another market segments by virtue of the desktop. This leads to an extension of Microsoft monopoly and crushes competition and innovation.

For example: MS makes a change to their web browser that causes the browser to no longer display pages from apache web servers correctly. This nuance in the software can be touted as a "feature" because (for example) it allow a Microsoft IIS server to add some new multi-media content to web pages. In one stroke Microsoft has made every new system (and many older ones that automatically upgrade) incompatible with the majority of web servers on the planet. If one would like to see information from those server correctly they would have to A. download a non MS product, or the server would be forced to use a MS product. Since most end users would not want to incur the added expense or time to D/L another product, service providers are forced into using IIS if they are to deliver content to their customers.

2. The definition of "middle ware" is very different from the definition that was published in the "Findings of Fact". With the new definition Microsoft can easily make a change to almost any program considered middleware now so that it does not meet the new definition. Then Microsoft can and will (based on their historic record to date) withhold information

critical for others to develop middleware products for the MS operating system.

These are only 2 items in a long list of things I think are lacking in the current proposed final judgment. I hope that the government will continue to try and protect the consumer against illegal practices. Only through strong enforcement of our current anti-trust laws can we protect our ability as a nation to innovate, and remain the competitive economic powerhouse country it is.

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